

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RAUL M. ESPITIA,

Plaintiff,

-vs-

C-1-00-531

THE PROCTER & GAMBLE COMPANY,

Defendant.

CLERK'S MEMORANDUM ON COSTS

This matter is before the Clerk on the Bill of Costs filed by the Defendant, The Procter & Gamble Company (doc. no. 47), Objections filed by the Plaintiff, Raul M. Espitia (doc. no. 48) and the Reply Memorandum in Support by Deft (doc. no. 49).

A thorough review of the record indicates that the following depositions were NOT FILED with the Clerk and are, therefore, DISALLOWED:

• Deposition of Raul Espitia in the amount of	\$1,544.53
• Deposition of Michael Lindsey in the amount of	\$ 279.00
• Deposition of Dwain Carver in the amount of	\$ 159.30
• Deposition of Tom Winters in the amount of	\$ 114.00
• Deposition of J. Scarcella in the amount of	\$ 99.90
• Deposition of N. Bess in the amount of	<u>\$ 105.00</u>
TOTAL AMOUNT OF DEPOSITIONS DISALLOWED =	\$2,301.73

The duplication costs (fees for printing) are taxable under **Fees for exemplification and copies of papers necessarily obtained for use in the case** and are allowed in their entirety.

Therefore, the Defendant's Bill of Costs (doc. no. 47) is hereby **GRANTED AS AMENDED** in favor of the Defendant, The Procter & Gamble Company, in the reduced amount of **\$2,777.70**.

The five day period for filing a motion to review the Clerk's Taxation of Costs with the Court shall begin upon receipt of this memorandum.

Dated: July 9, 2004

JAMES BONINI, CLERK

BY:


Karen F. Jones, Division Manager

*AO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

Southern

District of Ohio

Raul M. Espitia

V.

The Procter & Gamble Co.

BILL OF COSTS

Case Number: C-1-00-531

Judgment having been entered in the above entitled action on March 1, 2004 against Plaintiff Raul M. Espitia,
 the Clerk is requested to tax the following as costs:

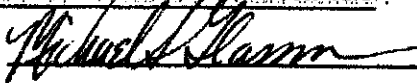
Fees of the Clerk	\$
Fees for service of summons and subpoena
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	4706.55 \$2,301.73
Fees and disbursements for printing	279.90
Fees for witnesses (itemize on reverse side)
Fees for exemplification and copies of papers necessarily obtained for use in the case
Docket fees under 28 U.S.C. 1923
Costs as shown on Mandate of Court of Appeals	93.00
Compensation of court-appointed experts
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828
Other costs (please itemize)
TOTAL	\$ 5079.45 \$2,777.70

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Sheila Smith, Preking & Betz, 215 East 9th St, 5th Fl, Cinti, OH 45202.

Signature of Attorney:



Name of Attorney:

Michael S. Glasman

For: The Procter & Gamble Company

Name of Claiming Party

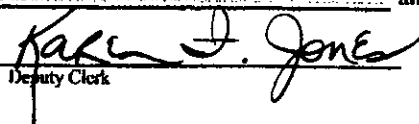
Date: March 15, 2004

Costs are taxed in the amount of \$2,777.70 and included in the judgment.

JAMES BONINI

Clerk of Court

By:



Deputy Clerk

7-9-04

Date